

**MINUTES OF THE
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE**
Wednesday, May 15, 2013 – 9:00 a.m. – Room 20 House Building

Members Present:

Rep. Paul Ray, House Chair
Sen. Allen M. Christensen
Sen. Luz Robles
Sen. Brian E. Shiozawa
Sen. Todd Weiler
Rep. Stewart Barlow
Rep. Rebecca Chavez-Houck
Rep. LaVar Christensen
Rep. Tim M. Cosgrove
Rep. Brian M. Greene
Rep. Michael S. Kennedy

Rep. Ronda Rudd Menlove
Rep. Edward H. Redd

Members Absent:

Sen. Evan J. Vickers, Senate Chair

Staff Present:

Mr. Mark D. Andrews, Policy Analyst
Ms. Cathy J. Dupont, Associate General Counsel
Ms. Lee A. Killian, Associate General Counsel
Ms. Lori Rammell, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting are available at www.le.utah.gov.

1. Committee Business

Chair Ray called the meeting to order at 9:10 a.m. and excused Sen. Vickers from the meeting.

Committee members introduced themselves and Chair Ray welcomed Ms. Lee Killian, Associate General Counsel, Office of Legislative Research and General Counsel, as a new committee staffer.

Chair Ray said the committee will ask the Legislature's Child Welfare Legislative Oversight Panel to consider child welfare issues assigned to the committee and report to the committee later in the year.

Chair Ray asked committee members to complete a survey indicating how they would like background materials for committee meetings delivered to them.

2. Long-term Care Insurance

Sen. Weiler introduced the issue of incentives the state might provide to encourage the purchase of long-term care insurance.

Mr. Craig Oberle, Stonehill National Insurance, explained that the state could create a long-term care insurance partnership that would allow purchasers of long-term care insurance to receive an offset for the value of the insurance if they seek long-term care services under Medicaid.

Mr. Oberle responded to questions from the committee.

Ms. Dupont provided additional clarification.

Sen. Weiler said that he would like legislation creating a long-term care insurance partnership to be a committee bill. When asked by Chair Ray to respond, no committee member opposed the idea.

3. Update on State and Federal Health Reform

Ms. Dupont briefed the committee on the work of the Legislature's Health Reform Task Force and the Governor's Medicaid Options Workgroup. She updated the committee on developments that occurred during and since the 2013 General Session, including the federal government's approval of the state's proposal to operate one of the two health insurance exchanges required under the federal Patient Protection and Affordable Care Act. She said the state's existing Avenue H health insurance exchange will perform the function of the act's small employer exchange. Ms. Dupont discussed related federal data sharing requirements and encouraged legislators to stay engaged as the Affordable Care Act is implemented throughout the summer.

Ms. Dupont answered questions from the committee.

Mr. Andrews provided additional clarification for committee members.

4. Community Health Workers

Sen. Robles explained that during the 2013 General Session, the Legislature considered, but did not pass, S.B. 85 "Community Health Worker Program." She stated that the bill directs the Department of Health's Bureau of Health Promotion to promote the use of community health workers (CHWs), establish education programs, create an advisory board, and collect data. She said that the goal of the legislation is to create self-sufficiency and knowledge in affected communities.

Ms. Sara McCormick, University of Utah Department of Public Policy and Administration, distributed "Center for Public Policy and Administration, the University of Utah: Community Health Workers in Utah" and discussed how CHWs improve health outcomes, help individuals navigate the health care process, and provide health education.

Sen. Robles and Ms. McCormick responded to questions from the committee.

Sen. Robles stated that her goal is to establish standards for CHWs and obtain reimbursement for them through Medicaid. She said she believes that CHWs would help the state achieve its health goals, including reducing obesity and reducing the incidence of asthma and diabetes.

Dr. David Patton, Executive Director, Utah Department of Health, discussed the need for teams, consisting of perhaps a doctor, nurse, and CHW, that can go out into the community to assist individuals with their health care needs. Dr. Patton responded to questions from the committee.

Ms. Judi Hillman, Executive Director, Utah Health Policy Project, emphasized the importance of not regulating CHWs so much that they lose the trust of the communities they are intended to serve.

Mr. Victor Arredondo, Conozca Su Corazón (Know Your Heart) Program Coordinator, American Heart Association identified some of the skills and roles CHWs are generally expected to perform, including counselor, health educator, and caregiver.

Mr. Arredondo answered questions from the committee.

Sen. Robles indicated that she plans to continue working on the CHW issue, that she hopes to bring legislation to the committee later this year that is more comprehensive than S.B. 85 "Community Health Worker Program," and that she will get information on CHW standards used by other states.

5. Electronic Cigarettes

Rep. Ray described e-cigarettes, the threat they pose to a smoker's health, the risks they pose due to

secondhand smoke, their marketing and sale to young people, and the importance of their regulation. He clarified his position on the taxation of e-cigarettes and the regulation of their use by adult consumers. He also answered questions from the committee.

The committee's staff was asked to find out how many local schools have adopted rules relating to e-cigarettes in response to 2010 legislation sponsored by Rep. Menlove.

Rep. Ray said he will bring e-cigarette use rates and legislation to the committee later this year.

6. Controlled Substance Database – Interstate Data Sharing

Rep. Redd briefed the committee on the state's participation in InterConnect, an interstate data sharing program for prescription monitoring programs facilitated by the National Association of Boards of Pharmacy. He described problems arising from the filling of out-of-state prescriptions and the importance of states communicating with one another.

Mr. Mark Steinagel, Director, Division of Occupational and Professional Licensing (DOPL), discussed the division's effort to finalize a memorandum of understanding with the National Association of Boards of Pharmacy to participate in the board's PMP InterConnect program, which facilitates the sharing of controlled substance database information among states. Committee staff displayed a map by the National Association of Boards of Pharmacy showing each state's level of involvement in PMP InterConnect. Mr. Steinagel indicated he expects PMP InterConnect will be available to Utah drug prescribers by June 30, 2013.

7. Controlled Substance Database – Prescriber Alerts

Rep. Redd distributed "What is the Problem? People are dying from use of controlled substance." He discussed the risk of death associated with the use of prescription opioids and proposed that DOPL notify a physician when a patient receives a prescription for controlled substances from more than one prescriber, fills prescriptions for controlled substances at more than one pharmacy, or fills prescriptions for controlled substances in more than one state. This would alert the physician to check the state's controlled substance database for additional information.

Mr. Steinagel said that DOPL shares the goal of protecting patients, but must address the question of how to protect the public without invading individual privacy. He said that changes were made several years ago requiring practitioners and pharmacies to be alerted when individuals overdose or drive while under the influence of a controlled substance. He said DOPL intends to expand existing notification practices the next time it receives a federal grant for the controlled substance database.

Rep. Redd and Mr. Steinagel responded to questions from the committee.

8. Open and Public Meetings Act Training

Ms. Killian reviewed the purpose of the Open and Public Meetings Act and described what is required under current Utah law.

Ms. Killian and Ms. Dupont answered questions from the committee.

9. Adjourn

Rep. Cosgrove suggested that the Health Reform Task Force report the results of its study of mental health to the committee.

Chair Ray encouraged committee members to let the committee chairs know of any issues they wish to study during the interim.

MOTION: Rep. Barlow moved to adjourn the meeting. The motion passed unanimously with Sen. Christensen, Sen. Robles, Sen. Shiozawa, Sen. Weiler, Rep. Christensen, and Rep. Menlove absent for the vote.

Chair Ray adjourned the meeting at 11:59 a.m.